

The terminology used to delineate the kinds of operations as used in the Airworthiness Inspectors Handbook FAA Order 8300.10 is inconsistent with the definitions of the kinds of operations found in Part 119 and therefore possibly incorrect. The inspectors handbook lists standards for the different kinds of operations under chapters 74 and 75 titled (respectively) "Evaluate Part 121/135 (10 or more and turbine powered aircraft) Operator's Weight and Balance Control Program" and "Evaluate Far Part 135 (9 or less) Weight and Balance Control Procedures" (emphasis added). An important note here is that Order 8300.10 Chapter 75 does not list AC 120-27 as a reference document, as opposed to chapter 74 which does. FAR Part 119 makes reference to different passenger loads in its definition of the types of operations, but always defines Domestic, Flag, Commuter, Supplemental and On-Demand using other criteria as well. One of those criteria that seems to be totally overlooked is the use of Rotorcraft. According to the definitions in Part 119, an operator of Rotorcraft may be either an On-Demand operator or a Commuter Operator. Part 119.25 spells out the certification and operations specifications differences according to whether an operator is defined as either (a) a commuter, or (b) an On-Demand operator.

AC 120-27C states that it provides guidance to those operators that are required to have an "Approved" weight and balance program or choose to have an approved program. It further states that it may be useful to current operators who may be affected by requirements proposed in the NPRM that created FAR Part 119.

The summary for this NPRM (Notice No. 95-5, 60 FR 16230, March 29, 1995) states those "that would be affected are those scheduled passenger-carrying operations in Airplanes that have a passenger-seating configuration of 10 to 30 seats and those conducting scheduled passenger-carrying operations in turbojets regardless of seating configuration". The proposal further states "the FAA believes that the distinction should no longer be maintained for scheduled passenger operations and that all scheduled operations in airplanes with a passenger-seating configuration of 10 or more should comply with Part 121 requirements". It goes on to say "(Throughout this document operators of those airplanes may be referred to as 'the affected operators' or 'the affected commuters' or words to that effect.)". The proposal further states, "Rotorcraft operations would remain under Part 135; however, additional standards for scheduled passenger-carrying rotorcraft may be considered at a future date."

FAR Part 119 was approved as a final rule on January 19, 1996. As published in 60 FR 65832, the summary states, "This rule requires certain commuter operators that now conduct operations under Part 135 to conduct those operations under Part 121. The commuter operators affected are those conducting scheduled passenger-carrying operations in airplanes that have passenger-seating configurations of 10 to 30 seats (excluding any crewmember seat) and those conducting scheduled passenger-carrying operations in turbojet airplanes regardless of seating configuration." Note specifically that the wording here refers to "turbojet airplanes" not "turbine powered aircraft", as is used to delineate different kinds of operations in FAA Order 8300.10, vol 2, Chapters 74 and/or 75. On-demand Rotorcraft operations clearly are not affected by the rule in that they are not required to conduct operations under Part 121 as a result of the new rule. By using the same logic applied above, AC120-27(c) was not meant to apply to rotorcraft operations that are not affected by the rule change.

Approved Operations Specifications for Weight and Balance control are not specifically required for an On-Demand rotorcraft operator according to Part 119.49(c), unlike part 119.49(a) and (b) which specifically require Operations Specifications for an "Authorization for the method of controlling weight and

balance of aircraft". Weight and balance procedures for Part 135 operators must be "accepted" as a part of its manual system according to FAR Part 135.23(b). Part 135.63(c)(5) further states, "the actual center of gravity need not be computed if the aircraft was loaded according to a loading schedule", as opposed to Part 121.693 which states, "(c) the total weight computed under approved procedures" and "(d) Evidence that the aircraft is loaded according to an approved schedule that insures that the center of gravity is within approved limits." FAR Part 135.63(c) lacks the word "approved" when addressing a load schedule.

As defined by FAA-H-8083-1, Aircraft Weight and Balance Handbook, a loading schedule is "A method and procedure used to show that an aircraft is properly loaded and will not exceed approved weight and balance limitations during operation." A "standard average passenger weight" is also defined in FAA-H-8083-1, Aircraft Weight and Balance Handbook. It follows then that a loading schedule that is in conformance with an approved RFM utilizing standard average weights may be produced that is then "accepted" for use in an operators "accepted" weight and balance procedures.

The central question in this discussion that remains is whether or not an On-Demand rotorcraft operator may use "Standard Average Passenger Weight" to develop a load schedule to meet the requirements of Part 135.63(c)(5) for inclusion in an "accepted" weight and balance control procedure. Even further, may an On-Demand rotorcraft operator develop non-standard group averages for use in its accepted load schedules utilizing methodologies similar to those specified in AC 120-27(c)? Is an On-Demand rotorcraft operator required to have an Approved Weight and Balance Control Program? Is an On-Demand rotorcraft operator required to have approved Operations Specifications for its weight and balance control procedures which include the use of load schedules as described in Airworthiness Inspectors Handbook FAA Order 8300.10, vol 2, chapter 75?

These questions concerning the level of certification (Part 135 vs Part 121, Chapter 74 vs Chapter 75, accepted procedures vs approved programs) of rotorcraft operations should be addressed in the current rulemaking committee.